

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO, : PROMESA
as representative of : Title III
THE COMMONWEALTH OF PUERTO RICO *et al.*, : Case No. 17-BK-3283 (LTS)
Debtors.¹ : (Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO, : PROMESA
as representative of : Title III
THE EMPLOYEES RETIREMENT SYSTEM OF THE : Case No. 17-BK-3566 (LTS)
GOVERNMENT OF THE COMMONWEALTH OF :
PUERTO RICO, :
Debtor. : X

**NOTICE OF PARTICIPATION IN LITIGATION
OF OBJECTIONS TO ERS BOND CLAIMS**

¹ The Debtors in these Title III cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Absent permission granted by the District Court upon a showing of good cause, any party that has notice of the Initial Objection Procedures but (a) fails to file a Notice of Participation or (b) files a Notice of Participation after November 18, 2019, shall be prohibited from filing separate pleadings with respect to the Claim Objections (as defined in the Initial Objection Procedures), including filing any Additional Claim Objections (as defined in the Initial Objection Procedures).

The party identified below (“Participant”) hereby advises the Official Committee of Unsecured Creditors, the Official Committee of Retired Employees of the Commonwealth of Puerto Rico, the Financial Oversight and Management Board for Puerto Rico, the Special Claims Committee of the Financial Oversight and Management Board for Puerto Rico, and the Puerto Rico Fiscal Agency and Financial Advisory Authority that it intends to participate in the litigation of the Claim Objections with respect to bonds issued by the Employees Retirement System of the Government of the Commonwealth of Puerto Rico in 2008 (the “ERS Bonds”).

To ensure full participation rights in the litigation of the Claim Objections, Participant provides all of the information requested in items 1 through 3 below:

1. Participant’s contact information, including email address, and that of its counsel, if any:

Participant Name and Contact Information

Monarch Alternative Capital LP¹

Participant Name

Colin Daniels

Contact Person (if Participant is not an individual)

Colin.daniels@monarchlp.com

Email Address

535 Madison Avenue

Address line 1

New York, NY 10022

City, State Zip Code

United States of America

Country

Counsel Contact Information (if any)

Akin Gump Strauss Hauer & Feld LLP

Firm Name (if applicable)

Brad M. Kahn (*pro hac vice* pending)

Contact Person

Bkahn@akingump.com

Email Address

One Bryant Park

Address line 1

New York, NY 10036

City, State Zip Code

United States of America

Country

2. Participant advises that it (choose one of the following by marking “X” in the appropriate space):

intends to **support** the relief requested in the Claim Objections (i.e., Participant believes the District Court should find that the ERS Bonds are invalid); or

intends to **oppose** the relief requested in the Claim Objections (i.e., Participant believes that the District Court should find that the ERS Bonds are valid)

3. If Participant is not a holder of an ERS Bond, it can skip to the end of this Notice and sign. If Participant is a holder of one or more ERS Bonds, Participant must respond to the following paragraphs (a) and (b) to the best of Participant's knowledge.

(a) Provide the CUSIP Numbers of all ERS Bonds held by Participant:

29216MAV2; 29216MAF7; 29216MBL3; 29216MAC4; 29216MBE9

(b) Did Participant purchase any of its ERS Bonds in whole or in part on the secondary market? **YES** or **NO** (please circle one).

By: /s/ Colin Daniels
Signature

Colin Daniels
Print Name

Deputy General Counsel
Title (if Participant is not an Individual)

November 14, 2019
Date

Instructions for Serving and Filing Notice of Participation: This Notice of Participation must be (i) **served** by email on the Notice Parties set forth in paragraph 8 of the Objection Procedures and (ii) **filed** electronically with the District Court pursuant to its Electronic Case Filing procedures. **If the Participant is not represented by counsel, the Participant may file a paper copy of this Notice of Participation with the District Court by delivering such Notice of Participation by mail or by hand addressed to: The Clerk of the United States District Court for the District of Puerto Rico, Room 150 Federal Building, 150 Carlos Chardon Avenue, San Juan, PR 00918-1767.**